

SBAR on SB 525 Rules

Situation: (Brief description of the current issue or situation requiring project/program.)

[SB 525](#) amended chapter 196, RSMo in the 2014 session. The law modifies provisions relating to food preparation and production of nonprofit organizations as well as cottage food production operations.

Background: (Relevant background data about current situation and current and past approaches to the situation)

The bill allows a nonprofit organization to prepare food, in a private home or other area, for distribution to the end consumer at a charitable fundraising event. The consumer may be informed by a clearly visible placard at the serving location that the food was prepared in a kitchen that is not subject to regulation and inspection by the regulatory authority. Also, the nonprofit organization may notify the regulatory authority in writing or via email prior to the beginning of the event. If made, such notification shall include the following: name of the nonprofit organization; date, time, and location of the event; name and contact information of the person responsible for the event. This act does not apply to a food establishment that is regulated by the Department of Health and Senior Services that provides food for the event. Jefferson County, St. Louis County, St. Charles County, Boone County, Clay County and the City of St. Louis are exempt from the above provisions.

The bill also allows cottage food production operations to be exempt from state health or food code laws. Additionally, local health departments are not allowed to regulate production of food at a cottage food production operation, but each local health department and the Department of Health and Senior Services shall maintain a record of complaints made against a cottage food production operation.

Additionally, the bill requires DHSS to promulgate rules requiring a cottage food production operation to label cottage foods intended to be sold to consumers with the name and address of the cottage food production operation and a statement that the food is not inspected by the department or local health department.

Assessment: (Your assessment about the situation and description of project or program that might address the situation.)

A discussion is needed between DHSS and LPHAs in order to establish rules for a uniform method for LPHAs to track complaints against cottage food production operations and make DHSS aware of these complaints related to sale of the products not allowed to be regulated. Tracking is needed so that data can be readily available and if needed for tracking of foodborne illness.

It is unclear how or if this ruling is affected by labeling changes in this new legislation in regards to ingredients labeling.

Recommendation/ Request : (policy, personnel, other resources needed to accomplish the project or program)

Request identification of process for input for rule development by LPHAs related to the cottage food production operations.